

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

United Resource Recovery Corporation, )  
Plaintiff, )  
-vs- )  
RamKo Venture Management, Inc., )  
and John Kohut, )  
Defendants. )  
\_\_\_\_\_  
RamKo Venture Management, Inc., )  
Third-Party Plaintiff, )  
-vs- )  
Carlos Gutierrez, )  
Third-Party Defendant. )

C.A. No. 7:07-CV-502-HFF

**AFFIDAVIT OF LAWSON HAYES, JR.**

The undersigned hereby states and deposes as follows:

1. I am over the age of eighteen (18) and competent to make this affidavit.
2. I am the Chief Financial Officer of United Resource Recovery Corporation (URRC) and am a citizen and resident of Spartanburg County, South Carolina.
3. I have spoken with several significant non-party witnesses, who can testify about various aspects of Kohut's involvement with URRC.
4. Matthew Myers, a Vice President with First Citizens Bank in Spartanburg, and Andy Westbrook, President of the Peoples National Bank in Easley, both used to work with BB&T in Spartanburg, which is URRC's bank. Matthew and Andy were involved in

trying to structure credit facilities for URRC. Myers and Westbrook both had contact with Kohut, who tried to involve himself in negotiating these credit facilities. Myers and Westbrook will testify that Kohut's interactions with them negatively affected their negotiations with URRC. These witnesses strongly prefer to travel to Spartanburg rather than Manhattan for depositions and trial.

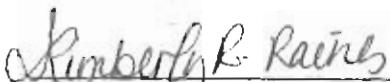
5. I have spoken with URRC's auditors and accountants at both PriceWaterhouseCoopers ("PWC") in Spartanburg and Cherry Bekaert and Holland ("CBH") in Greenville. Auditor Larry Fritz and tax accountants Bill Kastler and Owen West of PWC and auditor Allen Robinson of CBH will testify that Kohut hindered their audits numerous times by asking them to explain their work and decisions, causing unnecessary costs and delays. These witnesses strongly prefer to travel to Spartanburg rather than Manhattan for depositions and trial.
6. Chris Jones, Martin Gilmore of BB&T Capital Partners and Bert Newsome of BB&T Capital Markets, all located in Winston Salem, NC, will testify that they initially wanted to move forward with some type of private equity deal with URRC. They will testify that they believed Kohut deterred them from reaching a deal with URRC by failing to provide them with pertinent information about URRC which they had requested. They became frustrated and therefore did not pursue a deal with URRC. These witnesses strongly prefer to travel to Spartanburg rather than Manhattan for depositions and trial.
7. Mike Reeves, Bob Getsinger and Bill Adams are the managers of United/DMS, located in Knoxville, Tennessee. Chuck Robinson and Ronnie Holcomb are the former owners of DMS and are also located in Knoxville, Tennessee. Reeves,

Getsinger and Adams will testify about the poor quality of Kohut's due diligence review of DMS. Robinson and Holcomb will testify about Kohut's limited involvement with the transaction and presence in Tennessee. These witnesses strongly prefer to travel to Spartanburg rather than Manhattan for depositions and trial.



Lawson Hayes, Jr.  
CFO, United Resource Recovery Corp.

Sworn to before me this  
11 day of May, 2007



Notary Public for the State of South Carolina  
My commission expires: 4/26/09